

## **OBJECTIONS**

### **OBJECTIONS TO DRAWINGS**

Examiner noted that in specification page 6 line 21 "rear end (250)" is not shown. Replacement drawing sheets have been supplied for FIG. 3 showing the rear end (250).

Examiner objected to (410) designating both secondary block and stationary block. Applicant amended paragraphs [024] and [025] of specifications was amended to show proper designation as shown in FIG. 3. As depicted in FIG. 3, the second stationary block is designated as 440.

The "recess" noted in claim 10 is shown in FIG. 4 and designated as number 433. referring to claim 15, the U-shape slotted hook is designated as 240 in FIG. 7 and 7A.

### **112 REJECTIONS**

Examiner noted the recitation of "upper surface" in claim 14 line 4 of claim had insufficient antecedent basis. Claim 1 was amended to provide antecedent basis for claim 14.

### **102 REJECTIONS**

Examiner noted that claims 1, 4, 7-8, 14 and 19 were rejected as being anticipated by Perry. The reference must describe every detail of the claimed invention. (See **Kalman v. Kimberly-Clark Corp.**, 713 F.2d 760, 772, 218 USPQ 781, 789 (Fed Cir. 1983)). Additionally, the reference must adequately describe the claimed invention to put it in the public domain (See **In re Zenitz**, 333 F2d 924, 142 USPQ 158, 160 (C.C.P.A. 1964)). The description must enable a person with ordinary skill

in the art not only to comprehend the invention but also make it. (See *Paperless Accounting, Inc v. Bay Area Rapid Transit Sys.*, 804 F.2d at 665, 231 USPQ at 653) The reference must teach the claimed invention. (See *Ex parte Fujshiro*, 199 USPQ 36 (Pat. Off Bd. App. 1977)). Limitation in a preamble will be given patentable weight when they are necessary to give meaning to the claim and properly define the invention. (See *Perkin-Elmer Corp. V. Computer vision Corp.*, 732 F.2d 888, 896, 221 USPQ 669, 675-76 (Fed. Cir.), cert. denied, 469 U.S. 857, 225 USPQ 792 (1984)).

*Here, Regarding claim 1, the arm structure has been further defined. Claim 1 was amended to provide further clarification of the required limitations. The bumper mechanism within the opposing side edge tilts the bottle forward as the container is loaded. The Recess in Perry can not serve this function. The catch mechanism is bounded by the second opposing edge. There is no recess.*

*Regarding claim 2, recess has been amended to internal cavity. Cavity is defined by the Webster Dictionary as an unfilled space within a mass. Recess is defined by the Webster Dictionary as an indentation. In Perry, the recess is a cutout or indentation to securely fit the neck of the bottle such that the container is held in place as the container is rotated around the bar.*

*Regarding claim 3, the cavity is claimed as extending through the arm structure and bounded by the opposite side edge.*

*Regarding claim 5, Perry do not lower and lift the arm structure to engage the top of the container. The arm structure alone in Perry does not move. Perry lower and lift the entire carriage encompassing the container. See Figure 11. Additionally, the lever mechanism only raises the arm structure partially slidably.*

*Regarding claim 10, the bumper mechanism is a slight curvature to bump the neck of the container. See FIG. 4 of the specifications. In Perry, a full recess indentation is disclosed which fits tightly around the neck of the container.*

*Regarding claim 12, 13, and 14 the first edge of the arm structure is hingedly connected to the bar. Hinge is defined a joint on which a lid or other swinging part turns. In Perry, the arm structure does not swing upward and there is no hinge connected between the arm structure and the bar.*

*Claim 15 has been amended to show that the U-shape hook extends vertically from a side edge. Claim 16 was amended to show that the arm structure is rotatably mounted to the bar in a horizontal direction. In Perry, the arm structure is rotatably mounted to the bar in the vertical direction and the recess cutout is in the horizontal direction.*

*Regarding claim 20, Perry does not disclose the method of claim 20. Perry discloses an automated method. The present method of claim 20 is manual.*

*Claim 21 has been amended to show that the orifice is bounded by the second opposing side edge.*

*Independent Claim 22 was added to cover the arm structure with the internal cavity. Independent claim 23 was added to cover the arm structure with rotatable U-shape hook.*

*Perry does not disclose every detail as disclosed in the above discussion. Thus, Perry does not anticipate Claim 1-23.*

**REPLACEMENT DRAWINGS**

A replacement sheet and annotated marked up sheet is provided for FIG. 3 to show the added designation of 250.

Applicant respectfully requests that the rejections be withdrawn. Alternately should the Examiner feel that a personal discussion might be helpful in advancing this case to allowance, he/she is invited to telephone the undersigned.

Respectfully submitted:



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**CERTIFICATE OF MAILING AND FACSIMILE**

**I, Delphine James, hereby certify that the foregoing Response to the Office  
Action is being transmitted by Facsimile to 703-872-9306.**

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